Scott. II–37—100,000—31–5–52.

(1954) Department.

SERIES.

G.O. No. 1169

1169

Dated 29.3.1949

29/3/1949

[Despatch Abstract.]

Lands. Levy for recoupment of cost of [illegible] of land improvements to roads and bridges. [illegible]

sued

GOVERNMENT OF MADRAS

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ABSTRACT

Tolls-Levy for recoupment of cost of construction and improvement to roads and bridges-Instructions issued.

Public Works Department

G.O.Ms.No.1169 Dated 29th March 1949

Read the following:

G.O.No.4189 Local Administration, dated 27th October 1939.
G.O.No.3630, Local Administration dated 1st December,1942.
G.O.No.2334, " 2 6th August,1943.

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ORDER:

Under section 2 of the Indian Tolls Act, 1851, as amended the Provincial Government may levy tolls in respect of any road or bridge made, improved or repaired at the expense of the Provincial Government after the 1st April 1931 and also in respect of any bridge made, improved or repaired after the 1st April 1931 partly at the expense of a local body or bodies, or solely at the expense of a local body or bodies, provided that the total expenditure incurred on the bridge is not below such limit as the Government may determine. In G.O.No.4189, Local Administration, dated 27th October 1939, the Government fixed the limit of expenditure referred to at one lakh of rupees and directed that no toll under this Act should be levied on any bridge unless it was opened for traffic for the first time on a date subsequent to the 1st April 1938.

The question of levy of tolls in respect of specific works was considered by the Government in 1943 but not pursued. Thus, no tolls have so far been levied in respect of any item of work,

2. the Board of Communications, Madras, at its meetings held on 25th November 1947 and 20th May 1948 considered the question and recommended the levy of tolls to recoup the expenditure in respect of major bridges to be newly constructed and cement concreting of roads, provided such expenditure is met from loan funds. The Chief Engineer (Highways) has supported this recommendation.

3. After a detailed examination of the question His Excellency the Governor directs, in modification of the orders in G.O.No. 4189, Local Administration, dated 27th October 1939, that the following instructions shall govern the levy of tolls under these provisions:--

Tolls should be restricted to new road and bridge works which were commenced from, and after 1st April 1946 according to the following principles:

(a) On bridge works costing Rs.5 lakhs and over, and

(b) for formation of new ghat roads, irrespective of lead and for provision of improved surfacing to ghat roads.

The levy will apply to all classes of vehicles including motor vehicles and to animals and will be temporary until the cost of construction is recouped. These orders will apply only

P.to.

to roads other than National Highways.

4. The appended notification will be published in the Fort St. George Gazette.

5. The Board of Revenue is requested to report at an early date, in consultation with the Chief Engineer (Highways) on (i) the rates at which tolls should be levied and (ii) the period of levy.

6. The Chief Engineer (Highways) is also informed that formal proposals for the levy of tolls in respect of individual bridges or roads on which tolls may be levied under these orders should be submitted to the Government sufficiently in advance of the completion of the works as to enable the Government to levy tolls with effect from the date of opening of the bridge or completion of the road work as the case may be.

(By order of e c.)

T.A. Varghese,
Secretary to Government

To the Chief Engineer (Highways)
" the Board of Revenue.
" the Secretary to the Government of India, Ministry of Transport, New Delhi.
" all Collectors.
" the Special Officers of all District Boards.
" the Executive Authorities of all Municipal Councils.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Accountant-General, Madras.
" the Revenue, Local Administration, Finance and Legal Departments.
" the Superintendent, Government Press for publication of the notification in the Fort St. George Gazette.

APPENDIX
NOTIFICATION

In exercise of the powers conferred by section 2(1) and 9 of the Indian Tolls Act, 1851 (Central Act VIII of 1851), as in force in the Province of Madras, His Excellency the Governor of Madras hereby makes the following amendment to the rule published with Local Administration Department Notification No.1061, dated the 27th October, 1939, at page 715 of Part I-A of the Fort St. George Gazette, dated the 31st October 1939:—

AMENDMENT

In the said rule, for the words "one lakh of rupees", the words "five lakhs of rupees" shall be substituted.

/true copy/

Superintendent
Madras Record Office

v.v.27/10
29.10.1956